

United States District Court  
Southern District of Texas  
FILED

AO 91 (Rev 8/01) Criminal Complaint

JUN 20 2012

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

Clerk of Court

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

- 1) Guillermo Ortiz- Castillo *PRINCIPAL* the United Mexican States  
A78 947 946 YOB: 1973
- 2) Cesar E. Castro-Barreiro *CO-PRINCIPAL* the United Mexican States  
A205 473 986 YOB: 1990

Case Number:  
M-12-1283-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 18, 2012 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Neris Omar Flores-Ochoa, citizen and national of El Salvador, Jose Luis Robles-Salazar, citizen and national of Peru, and Jose Alfredo Gutierrez-Aguirre a citizen and national of Honduras, and twelve (12) other citizens and nationals of several foreign countries, for a total of fifteen (15), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) **FELONY**I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 17, 2012, at approximately 6:30 p.m., Border Patrol Agents A. Gamez and G. Castilleja responded to assist the Pharr, Texas Police Department at the Executive Inn Hotel located in Pharr, Texas. Upon their arrival at the hotel, Pharr Police Officers J. Garza and Segura stated that they had received an anonymous phone call of people being held against their will, at the Executive Inn Hotel. Upon receiving the information from the anonymous caller, the Pharr Police Department responded to the Executive Inn Hotel where they located two individuals in room #19. The officers conducted an interview of the two individuals and the front desk clerk of the hotel. Information gathered from these individuals revealed that there were possibly more people being held against their will in room #133. The police officers proceeded to room #133 where they encountered an additional 13 subjects.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Apparatus to file  
Terry C. Fernandez  
Asst U.S. Attorney

Signature of Complainant

Sworn to before me and subscribed in my presence,

Juan M. Carreon Senior Patrol Agent  
Printed Name of Complainant

March 20, 2012  
Date

at McAllen, Texas  
City and State

Dorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-12-1283-M**

<b>RE:</b>	<b>Guillermo Ortiz- Castillo</b>	<b>A78 947 946</b>
	<b>Cesar E. Castro-Barreiro</b>	<b>A205 473 986</b>

**CONTINUATION:**

Upon arriving to the hotel, Agents Gamez and Castilleja conducted an immigration inspection of the individuals regarding their immigration status. All fifteen subjects freely admitted and stated that they were citizens and nationals of foreign countries who did not possess any documentation that would allow them to reside and/or work in the United States legally. Subjects were subsequently placed under arrest and transported to the Weslaco Border Patrol Station for further processing on Sunday June 17, 2012.

On June 18, 2012, an interview conducted by Agent J. Zavala of three subjects from the Executive Inn Hotel, revealed that there were approximately nine (9) females being held against their will and were being sexually assaulted at the residence in which they were being held, prior to being taken to the Executive Inn Hotel. The house was located at the intersection of Farm to Market (FM) 493 and State Highway (SH) 107 in La Blanca, Texas.

Homeland Security Investigations (HSI) and the Rio Grande Valley Sector Fraud, Intelligence and Smuggling (FIST) Unit was notified of witnesses' information. HSI, FIST and Weslaco Border Patrol Agents were able to locate the residence in La Blanca, Texas.

Contact was made by Supervisory Border Patrol Agent R. Santos with a male person inside the house. The resident, Guillermo ORTIZ-Castillo, was informed of the information given to agents about the residence. He gave Agent Santos consent to search the house. A search of the residence revealed that another person was inside the residence. Cesar CASTRO-Barreiro was questioned as to his citizenship. He and Guillermo ORTIZ admitted to being in the United States illegally. They were both identified as transporters and harborers via a photo lineup by the smuggled aliens apprehended at the Executive Inn Hotel in Pharr, Texas. The principals were identified as Cesar Eduardo CASTRO-Barreiro, and Guillermo ORTIZ-Castillo.

Both principals were arrested on June 18, 2012, based on interviews conducted on subjects that were apprehended on June 17, 2012, from the Executive Inn Hotel.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-12-1283-M**

**RE:       Guillermo Ortiz- Castillo                               A78 947 946  
          Cesar E. Castro-Barreiro                             A205 473 986**

**CONTINUATION:**

**Principal Statement:**

Border Patrol Agent Carlos Garza read Guillermo ORTIZ-Castillo his Miranda Rights by utilizing service from I-214 in the Spanish language. Guillermo ORTIZ-Castillo refused to answer questiona and requested legal representation and no further questions were asked of him.

**Co-Principal statement:**

Border Patrol Agent N. Velez read Cesar CASTRO-Barreiro his Miranda Rights by utilizing service from I-214 in the Spanish language. Cesar CASTRO- Barreiro requested legal representation and no further questions were asked of him.

**Material Witnesses:**

**Jose Luis ROBLES-Salazar:**

Subject was advised of his rights as per form I-214 by Border Patrol Agent A. Castillo and witnessed by Border Patrol Agent R. Uribe. ROBLES-Salazar understood his rights and was willing to give a sworn statement as per I-215 without legal representation.

ROBLES-Salazar stated that after he entered the United States illegally he was taken to an unknown motel where he remained for two days. On the second day he called a male subject identified to him as "El Cuate". ROBLES-Salazar positively identified "El Cuate" from a DHS certified photo line-up as Guillermo ORTIZ-Castillo. ROBLES-Salazar went on to state that ORTIZ-Castillo then took them to an old house that did not have electricity or a restroom. In the house there were approximately nine females and 26 males. He remained at the house for about a week until ORTIZ-Castillo transported them to a brushy area. ROBLES-Salazar stated that in the brush, they remained for about six before being abandoned. At that time they decided to contact someone else. He stated that a different subject picked them up from the brush and transported them to the Executive Inn Hotel. ROBLES identified Guillermo ORTIZ as a transporter and harbinger. He also identified the co-principal Cesar CASTRO-Barreiro as ORTIZ's assistant or helper. CASTRO helped feed the aliens and kept them secure while ORTIZ was out of the residence.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-12-1283-M**

**RE: Guillermo Ortiz- Castillo  
Cesar E. Castro-Barreiro**

**A78 947 946  
A205 473 986**

**CONTINUATION:**

**Material Witness:**

**Neris Omar FLORES-Ochoa:**

Subject was advised of his rights as per form I-214 by Border Patrol Agent R. Uribe and witnessed by Border Patrol Agent A. Castillo. FLORES-Ochoa understood his rights and was willing to give a sworn statement as per I-215 without legal representation. FLORES-Ochoa stated he crossed the river May 30, 2012 near Hidalgo, Texas and was taken to a motel. Subject stated he then got picked up at the motel by a man who refers to himself as "El Gordo". FLORES-Ochoa stated that "El Gordo" instructed them to get into his white gmc truck. He then drove them all to a sugar cane field where he dropped them off. FLORES-Ochoa was later picked up by "El Gordo" and was taken to several houses (unknown locations) before being taken to "El Gordo's" residence. At the last residence FLORES-Ochoa stated he witnessed "El Gordo" sexually assault one of the females while he was in the house

FLORES-Ochoa stated that on one occasion "EL GORDO" grabbed one of the females from the kitchen and lifted her blouse and made sexual contact with her breast. FLORES-Ochoa identified "EL GORDO" as being the caretaker. He also stated that on multiple occasions "EL GORDO" threaten them not to look outside or escape. FLORES-Ochoa identified ORTIZ-Castillo, Guillermo as "EL GORDO", the caretaker and the person that transported them from location to location.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-12-1283-M**

**RE:       Guillermo Ortiz- Castillo  
          Cesar E. Castro-Barreiro**

**A78 947 946  
A205 473 986**

**CONTINUATION:**

**Material Witness:**

**Material Witness Statement:**

**Jose Alfredo GUTIERREZ-Aguirre:**

**Subject was advised of his rights as per form I-214 by Border Patrol Agent L. Arizmendi and witnessed by Border Patrol Agent S. Hernandez. GUTIERREZ-Aguirre understood his rights and was willing to give a sworn statement as per I-215 without legal representation.**

**GUTIERREZ-Aguirre stated he entered illegally on June 03, 2012, near McAllen, Texas. GUTIERREZ-Aguirre stated he was smuggled by a male subject who he later identified Cesar Eduardo CASTRO-Barreiro. GUTIERREZ-Aguirre stated CASTRO-Barreiro used a raft to cross them into the United States illegally. After crossing the Rio Grande River GUTIERREZ-Aguirre stated CASTRO-Barreiro guided them through the brush until arriving to an abandoned warehouse. GUTIERREZ-Aguirre stated that CASTRO-Barreiro then picked them up in a black Ford Explorer and transported them to an unknown location in a thick brush. GUTIERREZ-Aguirre stated that they remained in the brush for about eight days. While they remained in the brush a male subject who he only identified as "El Gordo" would take them food and water. GUTIERREZ-Aguirre positively identified "El Gordo" from a DHS certified photo line-up as Guillermo ORTIZ-Castillo. GUTIERREZ-Aguirre advised that ORTIZ-Castillo main role was to receive the payment and was in charge of moving people from place to place. GUTIERREZ-Aguirre went on to state that while they were in the custody of ORTIZ-Castillo, he witnessed Guillermo ORTIZ-Castro make sexual contact with a females' breasts. GUTIERREZ belived that the female was being mistreated by ORTIZ.**